

**MEETING OF JULY 19, 2016**

On this the 19 day of July, 2016, at 9:00 o'clock a.m., the Court met in Special Session; present and presiding were County Judge Scott M. Felton, Commissioners Kelly Snell, Lester Gibson, Will Jones and Ben Perry and the Clerk thereof being in attendance, the following proceedings were had and done to-wit:

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**THE COMMISSIONERS COURT \*  
McLENNAN COUNTY \*  
THE STATE OF TEXAS \*  
TO ALL PERSONS INTERESTED:**

NOTICE IS HEREBY GIVEN that, in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, a special meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 19<sup>th</sup> day of July, 2016 at 9:00 a.m.** in the Commissioners' Courtroom, 1<sup>st</sup> Floor, West Wing, McLennan County Courthouse, City of Waco, Texas, at which time, the subjects below will be considered. In addition, notice is hereby given that this July 19, 2016 meeting will be recessed and reconvened on Wednesday, the 20<sup>th</sup> day of July, 2016 at 1:30 p.m. at the same location, to complete discussion and action on the agenda items set forth below, including the Budget Work Session, unless the meeting on July 19, 2016 is adjourned by decision of the Commissioners Court.

**AGENDA**

- I. PROOF OF POSTING OF NOTICE** in accordance with the provisions of Chapter 551.041, Government Code, as amended, known as the Open Meetings Act.
- II. A MOMENT OF SILENCE / INVOCATION; PLEDGES OF ALLEGIANCE**
- III. CONSIDERATION OF, AND / OR ACTION ON, THE FOLLOWING:**
  - A. APPROVAL / RATIFICATION OF PROCLAMATION / RESOLUTIONS**
    1. Authorization of Proclamation Recognizing & Honoring the Waco ISD Board of Trustees
  - B. HEARING FROM MEMBERS OF THE PUBLIC ON COUNTY BUSINESS MATTERS**
  - C. ITEMS PREVIOUSLY DEFERRED**
    1. *Regarding the FY 16 Budget:* 414<sup>th</sup> District Court
    2. Authorization of Bundled Commercial Service Agreement and related Documents: AMG Technology Investment Group, LLC dba Nextlink Broadband (re: Highway 6 Jail)
  - D. RIGHT OF WAY PURCHASE, USE, CONVEYANCE and/or CONDEMNATION:** *Authorization / Action on:* Expansion/Repair Projects including, but not limited to: Easements / Offers / Contracts to Purchase ROW; Contracts for Sale; Contracts re: Appraisal / Surveying Services, ROW Acquisition / Sale; Authorization for Legal Counsel re: Eminent Domain / Condemnation Proceedings, Execution of Legal Documents
    1. Authorization of Permit for Drainage Improvement Work: Winding Oaks Drive (380' South of Buster Chatham Intersection) Precinct 3
  - E. REGARDING COUNTY PROPERTY and/or CONSTRUCTION PROJECTS:** Renovations, Repairs, Indemnification Regarding Cleaning / Maintenance Projects, Space Allocations / Furnishings / Equipment / Architectural Services / Invoices / Approval of Pay Applications / Change Orders / Contracts / Lease Agreements / Certifications of Substantial Completion / Authorizations Regarding Sale / Lease / Acquisition or Property
    1. Discussion and/or Action regarding McLennan County Detention Center / Downtown Jail Renovations
  - F. AUTHORIZATIONS RE: CONTRACTS / LEASE AGREEMENTS / INTERLOCAL AGREEMENTS:**
    1. Economic Development:
      - a. Waco-McLennan County Economic Development Corporation (WMCEDC): Authorization of Agreements; Consultant Services; Proposed Projects / Program Project Agreements / Addendums / Pay Apps
    2. Authorization of Interlocal Cooperative Agreement: City of Golinda (re: Road Work)
    3. Authorization of Interlocal Cooperation Agreement: McGregor Independent School District (re: Chip Seal Parking Lots)
    4. Authorization of Recording System Support Agreement: BIS Digital, Inc. (re: 414<sup>th</sup> District Court)
    5. Authorization of Professional Services Agreement: iDocket.com (re: Ruby Service for McLennan County District Clerk)
    6. Authorization of Interlocal Cooperation Agreement: City of Leroy (re: Road Work)
    7. Authorization of Service Agreement: Sterling Infosystems, Inc. (re: Background Screening Services)
  - G. REGARDING THE COUNTY BUDGET:** Amendments / Requests for Amendments and related Certification of Additional Revenue, if applicable, Expenditure Requests, Other Budgetary Requests
    1. **Regarding the FY 16 Budget:**
      - a. 414<sup>th</sup> District Court (Fund 150)
      - b. Justice of the Peace, Precinct 5
      - c. Economic Development
      - d. Permanent Improvement Fund (Fund 401)
      - e. County Auditor
      - f. County Sheriff
      - g. Capital Outlay (County Engineer)
      - h. County Judge
      - i. Information Technology
    2. **Regarding the FY 17 Budget:**
      - a. Discussion and/or Actions regarding Matters Relative to the FY 17 Budget / 2016 Tax Rate, including, but not limited to, Budget Policies, Priorities, Timelines, Updates from County Auditor and/or Budget Work Sessions, other related matters as needed
      - b. Approval of Order Authorizing Placement of all Ads/Public Notices Relative to the FY 17 Budget / 2016 Tax Rate
      - c. Greater Waco Sports Commission: Discussion regarding FY 17 Funding Request
  - H. COUNTY SHERIFF / JAIL / CRIMINAL JUSTICE ISSUES** (County Operated / Privately Operated Jail Facilities): Change Orders, Pay Apps, Repairs / Renovations / Infrastructure Improvements / Personnel / Salary Matters / Updated Reports / Equipment Purchases / RFP's; Authorization of Contracts / Agreements / Amendments
    1. Authorization of Agreement for Inmate Medical and Health Services for McLennan County Jail: Compleat Physicians, PLLC
    2. Authorization of USMS Agreement # 80-10-0033 ICE/DCR Modification of Contract / Order No. HSCEDM-15-F-IG120 (Amendment No. P0004)
  - I. HEART O' TEXAS FAIR / EXTRACO EVENTS CENTER:** Authorization re: Contracts / Professional Services / Lease / Rental Agreements / Contract Addendums / Change Orders / Extensions; Property Transactions / Deeds, Insurance, Surveys / Proposals / HOT Fair, Equipment / Supplies; *Authorizations re:* Purchases, Plans & Specifications, Construction, Operations, Pay Apps, Bids / RFP's; Repairs / Renovations, Expenditure Authorizations, related matters
    1. Regarding the Moisture Intrusion / Exterior Envelope Renovations / Repairs to the Extraco Events Center:
      - a. *Structural Engineering Services – Winton Engineering:* Authorization of Change Orders / Payment Requests, Acceptance of Reports, Updates, related matters
  - J. GRANTS / PROPOSALS / SPECIAL PROJECTS:** Authorization of Grant Applications / Contracts / Grants, Administration & Reporting Matters / Consulting Services / Pay Apps / Change Orders / Bids / Invoices / related Legal Matters / Documents
    1. Regarding the Texas Department of Public Safety / Texas Division of Emergency Management (DPS/TDEM): Ratification of Public Assistance Grant 4223 Award Letters:
      - a. FEMA Project Number PA-06-TX-4223-PW02060
      - b. FEMA Project Number PA-06-TX-4223-PW02061
      - c. FEMA Project Number PA-06-TX-4223-PW02045

**K. BIDS / RFP'S / RFQ'S / QUOTATIONS for GOODS & SERVICES, including Recording of Vendor HB 914 Conflict Disclosure Statements, if applicable**

1. Authorization of Award Recommendation regarding Bid 16-015: Gasoline and Diesel Fuel for McLennan County

**L. CONSENT AGENDA ITEMS:**

1. **Reading / Approval of Previous Meeting Minutes:** Acceptance of Amendments / Supplements / Corrections; Recording into the Court Minutes of Previously Approved Documents, Items Not Requiring Court Action, HB 914 Conflict Disclosure Statements, as applicable
2. **Financial Obligations of McLennan County:**
  - a. Authorization for Co. Treasurer to Pay County Checks / Wire / Electronic Transfers Issued Since the Last Authorization
  - b. County Treasurer: Interest / Investment Reports / Authorizations / Recording of McLennan County Investment Policy / Acknowledgement Forms / Pooled Cash Account Balance Reports
3. **Human Resources / Salary Matters:** Benefits / Status Forms / Revisions to Salary Schedules; Authorizations Regarding Human Resources Issues / Revisions to Human Resources Policies; Compensation / Classification Issues / Personnel Reviews/ Reclassifications, Administrative Guidelines; Consultant Reports, Recommendations, Job Descriptions / Postings / Approvals Necessary for Statutory or Constitutional Qualifications / Acceptance of Resignations of Appointed or Elected Department Heads
  - a. Authorization of Job Title and Pay Grade Changes for Various Departments relative to FLSA Audit
4. **Authorizations / Ratifications re: RFP's / RFQ's / Bids / Advertisements / Publications / Public Notices / Sole Source Determinations / Surplus / Scrap Property Determinations / Recording of Legal Notifications**
5. **Travel and/or Education Requests / Ratifications:**
6. **Acceptance / Non Acceptance of Officials /County Department Heads /Staff /Departmental Reports/ Organization Reports / Updates; Reports relative to County Contracts/Agreements/Programs; Recording of Educational or Insurance Certificates/ Awards/ Bonds/ Recording of Conflict Disclosure Statements, Presentations to the Court**
  - a. Greater Waco Chamber of Commerce: Monthly Economic Development Report, May 2016
  - b. McLennan County Insurance Safety Committee: Recording of Meeting Minutes
  - c. Tax Assessor / Collector: Recording of Detailed Deposit Distribution Reports, June 2016
  - d. Tax Increment Reinvestment Zone Number One East, City of Lorena and McLennan County 381 Area: Recording of Semi-Annual Report, January – June 2016
7. **Commissioners Court, Discussion on, Consideration of and/or Action on:**
  - a. Ratification of Purchase / Designation of Authorized Purchaser:
  - b. Authorization re: Burn Ban in the Unincorporated Areas of McLennan County
  - c. Regarding Americans with Disabilities Act Compliance Project:
    - 1) Authorization of Professional Services Invoice: The Wallace Group (re: ADA Study / Reports for June)
  - d. Regarding the November 8, 2016 Joint General Election: Approval of Election Judges / Alternate Appointments for Election Day; Election Day Vote Centers; Early Voting Workers / Dates, Times, and Locations; Central Counting Station Workers; and Early Voting Ballot Board / Signature Verification Committee Members
  - e. Discussion and/or Action regarding the Transfer of McLennan County Phone System Responsibilities
  - f. Regarding the McLennan County Spaceport Development Corporation: Authorization of Board of Director Appointment
  - g. Regarding the McLennan County Historical Commission: Authorization of Commission Appointments

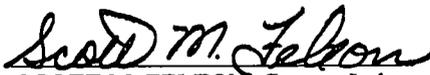
**M. COMMISSIONERS COURT WORK SESSION:** Information Gathering, Discussions, Status Reports / Updates and/or Presentations on any or all of the items listed below (*no action will be taken by the Court on items presented in this part of the meeting*): Discussion / Suggestions Regarding: *Future Work Session Items*

1. **Discussion re: Criminal Justice Issues:** Updates regarding the Electronic Monitoring Program / Coordinating the McLennan County Criminal Justice System / Criminal Justice Process / Veterans & Mental Health Courts / Courthouse Security / Video Conferencing Utilization / Public Nuisance Reporting & Enforcement Process, related matters
2. **Discussion re: Capital Expenditures:** including Discussion Regarding the Time Schedule for Capital Outlay / Recommendations from the Finance Committee Regarding the Spending Policy / Equipment Financing, related matters
3. **Discussion re: County Property:** including Discussion Regarding Space Availability & Utilization of County Buildings / Law Library, Utilization Planning, Consultant, Joint Facilities Master Plan or Study / Updates re: Maintenance at Highway 6 or Downtown Jail / Tradinghouse Lake/Park / ADA Capital Improvements / Surrey Ridge Road, Speegleville Road, and/or Chapel Road / Themis Statue / Discussion regarding Lincoln City Road Flooding / Roofing Projects for Various County Buildings and Matters Related Thereto
4. **Discussion re: Texas Department of Transportation:** including Discussion re: Rural/Public Transportation, related matters
5. **Discussion re: Time Keeping System**
6. **Discussion re: Agenda Item Submission**
7. **Discussion re: McLennan County Employee Policy Guide**

**IV. Executive Session:** A closed meeting will be held pursuant to:

- A. **Section 551.071 of the Government Code (V.C.T.A.):** An executive/closed session will be held so that the Commissioners Court can seek and receive legal advice from its attorneys regarding pending or threatened litigation, settlement offers, claims, or other matters for which the attorneys' duties to their client under the Texas State Bar Disciplinary Rules of Professional Conduct Conflicts with the Open Meetings Act (Ch.551, Gov. Code) if necessary for a subject contained on this agenda, and legal issues and potential liabilities regarding handgun laws and regulation of handguns in certain County buildings, including: OAG Complaint Nos. 52 and 85; T.A.C. –handled claims, settlements and deductible reimbursements; FCC regulations and court proceedings regarding inmate telephone services, legal effects and potential legal effects to County, and advice on dealing with regulations and rulings.
- B. **Section 551.072 of the Government Code (V.C.T.A.):** Regarding Real Property, including, but not limited to: (1) Right-Of-Way Acquisitions re: Expansion / Repair Project/s; and/or (2) Real Estate Purchase / Sale / Transfer / Trade / Offers to Purchase, Acquisition / Value / Donations of Real Property / Leases relative to Real Property, including, but not limited to, Potential Properties for Use by County / Public Facilities & Valuation of Current Property for Trade or Sale
- C. **Section 551.074 of the Government Code (V.C.T.A.):** Regarding Personnel Matters including but not limited to: Personnel Review / Evaluation of Commissioners Court Appointed Department Heads; Personnel Matters Identified in any Open Session Item if Necessary, and related matters
- D. **Section 551.076 of the Government Code (V.C.T.A.):** Deliberations regarding Security Devices or Security Audits
- E. **Section 551.087 of the Government Code (V.C.T.A.):** Regarding Economic Development Negotiations including, but not limited to (1) Discussion of Commercial / Financial Information Received from a Business Prospect/s; (2) Pending Negotiations / Potential Prospects and Projects; and/or (3) Discussion re: Offers of Financial or Other Incentives to Business Prospect/s

Signed this the 14<sup>th</sup> day of July, 2016

  
SCOTT M. FELTON, County Judge

STATE OF TEXAS \*  
COUNTY OF McLENNAN \*

I, J.A. "ANDY" HARWELL, County Clerk, and the Ex-Officio Clerk to the Commissioners Court, hereby certify that the above and foregoing is a true and correct copy of a NOTICE OF MEETING posted by me at the Courthouse door in Waco, McLennan County, Texas, where notices are customarily posted this the 14<sup>th</sup> day of July, 2016 at 12:30 o'clock p.m.

Witness my hand and seal of office at Waco, McLennan County, Texas this 14<sup>th</sup> day of July, 2016

(SEAL) J. A. "ANDY" HARWELL, County Clerk  
McLennan County, Texas

BY: Myrcetez Gowan (Deputy)

**Notice:** Persons with disabilities in need of auxiliary aide or services may contact the County Judge's Office, (254) 757-5049, prior to the meeting date

FILED. JUL 19 2016

J A "ANDY" HARWELL, County Clerk  
McLennan County, Texas  
By Myrcetez Gowan DEPUTY

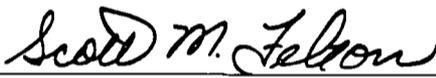
**IN THE COMMISSIONERS COURT OF MCLENNAN COUNTY  
THE STATE OF TEXAS \*  
COUNTY OF MCLENNAN \*  
TO ALL PERSONS INTERESTED:**

NOTICE IS HEREBY GIVEN in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, that a special meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 19<sup>th</sup> day of July, 2016 at 9:00 o'clock a.m.** in the Commissioners Courtroom, First Floor, West Wing, of the McLennan County Courthouse in the City of Waco, Texas, at which time **the following SUPPLEMENT to the AGENDA** previously posted on July 14, 2016 **will be considered:**

**SUPPLEMENTAL AGENDA**

1. ***Proof of posting of notice*** in accordance with the provisions of Chapter 551.041, Government Code, as amended, known as the Open Meetings Act.
2. ***Regarding County Property and/or Construction Projects:*** Discussion and/or Action on Security Modifications (re: Commissioner's Offices)
3. ***Regarding Human Resources / Salary Matters :*** Discussion and/or Action on Incentive Pay Plan

Signed this the 15<sup>th</sup> day of July, 2016



SCOTT M. FELTON, COUNTY JUDGE

THE STATE OF TEXAS \*  
COUNTY OF MCLENNAN \*

I, J. A. "ANDY" HARWELL, County Clerk, and the Ex-Officio Clerk to the Commissioners Court, hereby certify that the above and foregoing is a true and correct copy of a **SUPPLEMENTAL NOTICE OF MEETING** posted by me at the Courthouse door in Waco, McLennan County, Texas, where notices are customarily posted, on this the 15<sup>th</sup> day of July, 2016 at 2:30 o'clock p.m.

Witness my hand and seal of office at Waco, McLennan County, Texas, on this 15<sup>th</sup> day of July, 2016.

(SEAL) J. A. "ANDY" HARWELL, County Clerk  
McLennan County, Texas

BY  (Deputy)

**NOTICE:** Persons with disabilities who plan to attend the meeting and who may need auxiliary aids or services are requested to contact the Office of the County Judge at (254) 757-5049 prior to the meeting date.

FILED. JUL 19 2016

J A "ANDY" HARWELL, County Clerk  
McLennan County, Texas  
By Myrcetez Gowen DEPUTY